Supreme Court, U.S.
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No. ___

IN THE

Supreme Court of the United States

BISHOP OF THE WAY THOM SATTERLEE, DIRECTOR NORTHWEST HOUSING TRUST STEVEN MILTON: GRAY AND NAZIRITE ELDER OF TRUTH FLOYD TIMOTHY: RYAN,
Petitioners,

v.

TERRITORY/STATE OF WASHINGTON, as agent for the United States of America; BRUCE AND AUDREY CHIKALLS; WELLS FARGO HOME LOAN, CORY REIN; QUALITY LOAN SERVICE CORP, FIRST HORIZON HOME LOAN CORPORATION, WILSHIRE CREDIT CORPORATION, AND COREY MCCRARY, a minor, by and through his mother LORRIE CANADA,
Respondents.

Petition for a Writ of Certiorari to the Supreme Court of the State of Washington

PETITION FOR A WRIT OF CERTIORARI

Bishop of the Way
c/o 40520 E. Whitehorse Drive
Arlington, WA 98223
(360) 436-1422

WILSON-EPES PRINTING CO., INC. – (202) 789-0096 – WASHINGTON, D. C. 20001

QUESTION PRESENTED

Whether the State's assertion that it is the "Creator" and therefore can foreclose non-members of State's established religious institution from acting to protect their property rights and interests, and, whether the establishment of a State religion can constitutionally and lawfully deny and prevent the inhabitants of Washington state the quiet enjoyment and exercise their property and political rights under the United States' Constitutional "guarantee to every state in this union [of] a republican form of government."

PARTIES TO THE PROCEEDING

Pursuant to Rule 14.1(b), the following list identifies all of the parties appearing here and before the Washington State Supreme Court.

The petitioners here and appellants below are Bishop of the Way Thom Satterlee: Director, Northwest Housing Trust Steven Milton: Gray, and Nazirite Elder of Truth Floyd Timothy: Ryan.

The appellees below and respondents here are TERRITORY/STATE OF WASHINGTON, as agent for the United States; Bruce and Audrey Chikalla; Quality Loan Service Corp; First Horizon Home Loan Corporation; Wilshire Credit Corporation and Corey McCrary, a minor, by and through his mother Lorrie Canada

CORPORATE DISCLOSURE STATEMENT

Pursuant to Rule 29.6, Petitioners state as follows:

There is no parent or publicly held company that owns any stock in the Petitioners. Petitioners are natural persons created and established by God and recorded, as a courtesy to secular authorities, pursuant to RCW 24.12. Petitioners bring this petition in their individual capacities as "natural persons," in propria persona, as provided for by RCW 24.12.

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PETITION FOR A WRIT OF CERTIORARI

OPINIONS BELOW

The Opinion and Dissent of the Washington State Supreme Court in *Cedar County Committee v Munro* is reported at 134 Wn.2d 377, 950 P.2d 446 (1998) and is reprinted in Appendix to the Petition "Pet.App" 33a

The Opinion the Washington Court of Appeals in *Freedom County v. Snohomish County Freedom County v. Snohomish County*, 95 Wn. App. 839, 977 P.2d 612 (1999), review denied, 139 Wn.2d 1022 (2000) is reported at 95 Wn. App. 839, 977 P.2d 612 (1999), review denied, 139 Wn.2d 1022 (2000). and is reprinted in Appendix to the Petition "Pet.App" 25a

The Opinion the Washington Court of Appeals in *Satterlee, et al. v Snohomish County* is reported at 115 Wn. App. 229 and is reprinted in Appendix to the Petition "Pet.App" 17a

The Washington State Supreme Court's Ruling Denying Review in Cause No. *75607-4* is reprinted in Appendix to the Petition "Pet.App" 45a

The Washington State Supreme Court's Order in Cause No. *75607-4* is reprinted in Appendix to the Petition "Pet.App" 67a

The Washington State Supreme Court's Order in Cause No. *75573.6* is reprinted in Appendix to the Petition "Pet.App" 47a

The Washington State Supreme Court's Ruling Denying Review in Cause No. *75573.6* is reprinted in Appendix to the Petition "Pet.App" 63a

The Washington State Supreme Court's Ruling Denying Review in Cause No. *75640-6* is reprinted in Appendix to the Petition "Pet.App" 65a

JURISDICTION

The Washington State Supreme Court entered its Orders on November 3 & 4, 2004 respectively. This Court has jurisdiction under 28 USC § 1257 and §6 of the Organic Act of March 2, 1853 Pet.App. 1a

STATUTES AND TREATIES INVOLVED

This case involves the following laws and statutes:

Section 9 of the Organic Act, enacted by the Senate and House of Representatives of the United States in Congress assembled, approved March 2, 1853. Pet.App. 1a

Chapter 79 §2 of Washington Sessions laws of 1915, codified in the Revised Code of Washington at 24.12.020

The April 24, 1854 Act of the Legislative Assembly of the Territory of Washington entitled "AN ACT SUPPLEMENTARY TO AN ACT ENTITLED 'AN ACT RELATIVE TO COUNTIES,; AND TO REPEAL PORTIONS THEREOF;" the January 17th, 1863 Act of the Legislative Assembly of the Territory of Washington entitled "AN ACT IN RELATION TO COUNTIES," each of which are codified in the Revised Code of Washington at 36.09 et. seq.

International Covenant on Civil and Political Rights ratified by the Congress of the United States of America on 5 Oct 1977 Pet.App. 8a

STATEMENT OF THE CASE

This is one of the most important civil, property and political rights cases to ever reach this court. Resolution of the questions presented here will determine the applicability of the official public policy of the United States, and, the consequence of the constitutionally protected liberty rights of natural persons. Specifically the records in the cases joined in this petition for certiorari present for determination whether a State established religion may constitutionally deny natural persons their right to protect their property rights and interests, and, whether Citizens of the United States inhabiting Washington territory or state, as the case may be, are entitled to enjoy and exercise their political rights pursuant to United States' Constitution's "guarantee to every state in this union [of] a republican form of government."

A. Factual Background

Petitioners join in this petition for certiorari by alleging the following ultimate facts and circumstances providing notice of fraud or mistake:

Respondent TERRITORY/STATE OF WASHINGTON purports to have been admitted to the union of the several states of the United States in 1889. Senate Miscellaneous Document 55, the constitution for The State of Washington, was published on January 28, 1889 in the congressional record. On February 22, 1889, following publication of its constitution in the congressional record, Congress admitted The State of Washington into the union of the several states of the United States. Petitioners respectfully move the court take judicial notice of the foregoing facts. Judicial notice is intended to avoid the necessity of formally introducing evidence in those limited circumstances where the fact sought to be proven is so well known that evidence in support of the fact is unnecessary. *Hebden v Workmen's Compensation Appeal Bd. (Bethenergy Mines, Inc.)*, 142 Pa Cmwlth 176, 597 A2d 182, app gr 529 Pa 659, 604 A2d 251 and revd on other grounds (Pa) 632 A2d 1302.

Respondent TERRITORY/STATE OF WASHINGTON failed to hold elections to fill the offices mandated by the constitution received and published by the congress in the congressional record on January 28, 1889. Respondent TERRITORY/STATE OF WASHINGTON declined or refused to comply with the schedule mandated by constitution published by congress on January 28, 1889, because as Mr. Voorhees is quoted, in the January 18, 1889 Congressional record, as saying "that Washington did adopt a constitution in 1878 . . . that . . . we have grown away from the constitution made in 1878." Judicial notice respectfully requested. Respondent TERRITORY/STATE OF WASHINGTON allegedly replaced its congressionally published constitution with a document purporting to be the constitution for the State of Wash-

ington which fraudulent document is published in title 0 of the Revised Code of Washington. Judicial notice respectfully requested.

Respondent TERRITORY/STATE OF WASHINGTON and each of its officials know or reasonably should know that the people of the Territory of Washington ratified the 1878 constitution on November 5, 1878. Respondent TERRITORY/ STATE OF WASHINGTON and each of its officials know or reasonably should know that at no time relevant hereto has the provisions for amending, modifying or repealing the ratified 1878 constitution ever been complied with. Respondent TERRITORY/STATE OF WASHINGTON and each of its officials know or reasonably should know that on December 13, 1889, an unknown and unidentified authority purported to provide that the words "Territory and Territory of Washington shall be construed to mean State and State of Washington" The Act purportedly "providing the words Territory and Territory of Washington shall be construed to mean State and State of Washington, and declaring an emergency to exist, was passed without an enacting clause on December 13, 1889. To the best of Petitioners information, knowledge and belief the December 13, 1889 Act is the only legislative act, of the TERRITORY/STATE OF WASHINGTON, without an enacting clause ever deemed lawful in the TERRITORY/ STATE OF WASHINGTON. The official records of the United States put into question the lawful and constitutional existence of Respondent TERRITORY/STATE OF WASHINGTON. The constitutional and lawful existence of Respondent is an issue of fact having a direct bearing and consequence on the validity of the records and actions of Respondent TERRITORY/STATE OF WASHINGTON.

Petitioner's foregoing allegations of ultimate fact set out the Respondent's previous knowledge, state with particularity the circumstances and facts constituting either fraud or mistake establishing the legally impossible condition of a defacto

government for The State of Washington. The United States Supreme Court held in NORTON v. SHELBY COUNTY, 118 U.S. 425 (1886) "there can be no officer, either de jure or de facto, if there be no office to fill." Respondent TERRITORY/STATE OF WASHINGTON recognizes that "under a constitutional government such as ours, there can be no such thing as an Office de facto, as distinguished from an Officer de facto. Hence, the general rule that the acts of an officer de facto are valid has no application where the office itself does not exist." *Boyer v. Fowler*, 1 Wash.Terr. 101 (1860); 3 E. McQuillin, The Law of Municipal Corporations s 12.104 (3d ed. rev. 1973); De jure office as condition of a de facto officer, Annot., 99 A.L.R. 294 (1935) quoted from *Higgins v. Salewsky*, 17 Wn.App. 207, 562 P.2d 655.

Respondent TERRITORY/STATE OF WASHINGTON intentionally refused to fulfill the duty mandated by the 1889 constitution, under which it purports to be bound to and limited by, in 1997. Respondent TERRITORY/STATE OF WASHINGTON and members of its officially established religious association then engaged in a pattern of activities calculated to deny and deprive citizens of the United States and inhabitants on the land of their constitutionally guaranteed rights to freedom of religion, due process of law, civil rights and political rights.

B. Proceeding Below

Bishop of the Way Thom Satterlee, a natural person, was charged, tried and convicted for his good faith efforts to perform his fiduciary duties to the people of Freedom County and a religious trust over which he is the trustee. The full record shows that the purpose of charges and trial were politically motivated in an effort to stop him from fulfilling his official duties as the Chairman of the Board of Commissioners of Freedom County. Petitioner Bishop of the Way Thom Satterlee was denied the assistance of counsel at critical stages of the criminal proceedings against him as required

by a number of this court's decisions, and contrary to Respondent's own judicial holdings. Petitioner sought to bring each of the federal issues raised in this Petition for Writ of Certiorari before the several trial courts and Supreme Court of Washington in *Cedar County Committee v Munro*; *Freedom County v. Snohomish County*; *Satterlee, et al. v Snohomish County*; Petitioners Appeal of his criminal conviction and Petitioners Personal restraint Petition

The right to counsel at any stage of proceedings where there is a possibility of prejudice to the defendant. *Garrison v. Rhay*, 75 Wash.2d 98, 102, 449 P.2d 92 (1968) ("The constitutional right to have the assistance of counsel arises at any critical stage of the proceedings, and a critical stage is one in which there is a possibility that a defendant is or would be prejudiced in the defense of his case."); see also *Hamilton v. Alabama*, 368 U.S. 52, 53, 82 S.Ct. 157, 7 L.Ed.2d 114 (1961) (right to counsel attaches at any "critical stage in a criminal proceeding"). This means critical aspects of the proceeding must be conducted in the presence of defense counsel, with notice and opportunity for full participation on behalf of his client. Respondent ignored the legal standards established by this court and its own judiciary in order to contrive the unlawful conviction and imprisonment of Bishop of the Way Thom Satterlee.

Director Northwest Housing Trust Steven Milton: Gray, a natural person, was and has been denied hearing by Respondent TERRITORY/STATE OF WASHINGTON because the essential tenants and practices of his faith forbid and prohibit him from attending upon false gods, their prophets, priests, neophytes or acolytes. Because of that denial of fundamental due process of law he as denied and deprived of real property valued at approximately Two Hundred thousand dollars, purchased pursuant to contract and discharged by payment of certified funds, tendered as payment in full, on the underlying obligation contracted between Director Northwest Housing

Trust Steven Milton: Gray and Bruce and Audrey Chikalla. Petitioner raised and presented the federal issue of the establishment of a State religion was presented to the trial court and the State Supreme Court.

Nazirite Elder of Truth Floyd Timothy: Ryan, a natural person, was also denied hearing by Respondent TERRITORY/STATE OF WASHINGTON before an impartial court because of its religious doctrine and practice forbidding it from submitting to false religious institutions and their agents. Petitioner raised and presented the federal issue of the establishment of a State religion was presented to the trial court and the State Supreme Court.

Each of the aforementioned parties is defined by the legislature of the State of Washington as "natural persons."

REASONS FOR GRANTING THE PETITION

I. IT IS THE OFFICIAL POLICY OF THE UNITED STATES GOVERNMENT TO SUPPORT DEMOCRATIC INSTITUTIONS IN EVERY NATION, INCLUDING BUT NOT LIMITED TO THE SEVERAL STATES OF THE UNION OF THE UNITED STATES.

The President declared on January 20, 2005 that: "it is the policy of the United States to seek and support growth of democratic movements and institutions in every nation and culture, with the ultimate goal of ending tyranny in our world." This court has declared:

> "We have in this Republic a dual system of government, National and State, each operating within the same territory and upon the same persons; and working without collision, because their functions are different. There are certain matters over which the National Government has absolute control and no action of the State can interfere therewith, and there are others in which the State is supreme, and in respect to them the National

> Government is powerless. To preserve the even balance between these two governments and hold each in its separate sphere is the peculiar duty of all courts, pre-eminently of this—a duty oftentimes of great delicacy and difficulty." *South Carolina v. United States*, 199 U.S. 437, 26 S. Ct. 110, 50 L. Ed. 261.

It seems clear that court's exercise of its "peculiar duty" in reviewing the complete record establishing the jurisdiction of Respondent TERRITORY/STATE OF WASHINGTON will determine and prove whether this is indeed a nation of laws or merely an elaborate sham perpetrated for the benefit of a few interests. That the court has jurisdiction and power to review the complete record is clear. Each state is subject only to the delegations of power made in the United States constitution, and the limitations of power prescribed in their own Constitutions, and within its own territory are otherwise supreme. Its internal affairs are matters of its own discretion, provided that the Constitution delegates to the United States the power to "guarantee to every state in this Union a republican form of government." Art. IV §4. That expresses the full limit of national control over the internal affairs of a state.

II. THE CONSTITUTION DELEGATES TO THE FEDERAL GOVERNMENT THE POWER TO "GUARANTEE TO EVERY STATE IN THE UNION A REPUBLICAN FORM OF GOVERNMENT.

The power to "guarantee to every state in this union a republican form of government" is a delegation of power necessary to protect the whole nation from a tyranny gaining hold within this nation's borders. Respondent TERRITORY/STATE OF WASHINGTON purports to be one of the several states of the union of the United States of America, and must be deemed to assent to that delegation of power to the United States. However, official records of the United States evidence that the entity doing business as the State of Washing-

ton and allegedly functioning under its 1889 state constitution is not the government granted admission to the union of the several states by the Congress of the United States on February 22, 1889. "By the enabling act of Congress, passed February 22, 1889, the territory of Washington became the state of Washington." *Ryan v. State*, 188 Wash. at 130

III. THE PETITION SHOULD BE GRANTED FOR THE FOLLOWING SPECIFIC REASONS:

1) It is the Supreme Court's duty to make an independent examination of the record where there is a claim that a constitutionally protected right is involved. *Cox v Louisiana*, 379 US 536, 13 L Ed 2d 471, 85 S Ct 453

2) The record shows that Washington's courts have breached and violated their duty and obligation to enforce and protect every right granted and secured by the Constitution of the United States; *MOONEY v. HOLOHAN*, 294 U.S. 103 (1935) It is the duty of the state courts as much as of the federal courts, when the question of the validity of a state action is necessarily involved as being in alleged violation of any provision of the Federal Constitution, to decide that question and to hold the law void if it violates that instrument.

3) The records in each of Petitioners' cases show that Petitioners were denied hearing, before impartial court's having jurisdiction to hear such actions, resulting in a complete denial of fundamental due process of law under the United States constitution.

4) Official records of the United States and the State of Washington as well as historical records evidence massive fraud or mistake against United States Citizens to deny Citizens, inhabited within the territorial limits of Respondent TERRITORY/STATE OF WASHINGTON, of their right to the republican form of government guaranteed by Article IV §4 of the United States constitution.

5) The records in each of the Petitioners' cases suggest the surreptitious establishment, by actors of Respondent TERRITORY/STATE OF WASHINGTON, of a State established religion.

6) The official record demonstrates that the establishment of a State established religion was made possible, by the fraud or mistake of officials of Respondent TERRITORY/ STATE OF WASHINGTON in their unconstitutional replacement of the 1878, state constitution. The January 28, 1889 congressional record evidences that congress admitted the State of Washington into the union of the several states of the union under the 1878 constitution.

7) The cases again present this court with their duty to say where the individual's freedom ends and the State's power begins. Now as always determination of those boundaries is delicate, perhaps more so where the usual presumption supporting legislation is balanced by the preferred place given in our scheme of government to the great, the indispensable democratic freedoms secured by the First Amendment. Cf. *Schneider v. State of New Jersey*, 308 U.S. 147 , 60 S.Ct. 146; *Cantwell v. Connecticut*, 310 U.S. 296 , 60 S.Ct. 900, 128 A.L.R. 1352; *Prince v. Massachusetts*, 321 U.S. 158 , 64 S.Ct. 438. That priority gives these liberties sanctity and a sanction not permitting dubious intrusions. And it is the character of the right, not of the limitation, which determines what standard governs the choice. Compare *United States v. Carolene Products Co.*, 304 U.S. 144, 152 , 153 S., 58 S.Ct. 778, 783, 784.

8) The purpose of a writ of certiorari is to bring before the court for inspection the record of the proceedings of an inferior tribunal in order that the superior court may determine from the face of the record whether the inferior court has exceeded its jurisdiction or has not proceeded according to the essential requirements of the law. *Hunt v. Norton*, 68 Ariz. 1, 198 P.2d 124, 5 A.L.R.2d 668 (1948); *Adams v.*

Arkansas State Highway Commission, 235 Ark. 808, 363 S.W.2d 134 (1962); *Board of Trustees of Leland Stanford Junior University v. State Bd. of Equalization*, 1 Cal. 2d 784, 37 P.2d 84, 96 A.L.R. 775 (1934); *Malone v. City of Quincy*, 66 Fla. 52, 62 So. 922 (1913) (distinguished by, *State v. York*, 90 Fla. 625, 106 So. 418 (1925)); *Rochon v. Rodriguez*, 293 Ill. App. 3d 952, 228 Ill. Dec. 416, 689 N.E.2d 288 (1st Dist. 1997) (distinguished on other grounds by, *Flynn v. Hillard*, 303 Ill. App. 3d 119, 236 Ill. Dec. 589, 707 N.E.2d 716, 79 Fair Empl. Prac. Cas. (BNA) 742 (1st Dist. 1999)); *Polk County Sheriff v. Iowa Dist. Court for Polk County*, 594 N.W.2d 421 (Iowa 1999); *Lenz v. Cobo*, 338 Mich. 383, 61 N.W.2d 587 (1953); *Banks v. City of Greenwood, By and Through City Council*, 404 So. 2d 1038 (Miss. 1981); *State ex rel. St. Louis Union Trust Co. v. Neaf*, 346 Mo. 86, 139 S.W.2d 958 (1940); *State ex rel. Dreyer v. Brekke*, 75 N.D. 468, 28 N.W.2d 598 (1947) (limitation of holding on other grounds recognized by, *Lamplighter Lounge, Inc. v. State ex rel. Heitkamp*, 510 N.W.2d 585 (N.D. 1994)); *Berryman v. Howell*, 1944 OK 232, 194 Okla. 259, 149 P.2d 505 (1944); *State v. Coleman*, 58 R.I. 6, 190 A. 791, 109 A.L.R. 787 (1937). The purpose of certiorari is to review the judicial action of inferior courts and tribunals in regard to substantial questions of law affecting the merits of a case. *State v. Forte*, 159 Vt. 550, 624 A.2d 352 (1993).

IV. OFFICIAL GOVERNMENT AND HISTORICAL RECORDS PROVE THAT THE ENTITY PRETENDING TO BE THE STATE OF WASHINGTON IS A FRAUD UPON THE PEOPLE AND CONGRESS OF THE UNITED STATES.

Some historical background is necessary to show how the federal government and the people of the State of Washington were duped in 1889 into fraudulently continuing Territorial Government of Washington, established by congress on March 2nd, 1853.

Section 6 of the 1853 Organic Act conferred the legislative power of the territory "to all rightfully subjects of legislation, not inconsistent with the constitution and laws of the United States." Section 6 of the 1853 Organic act specifically provided that "[a}ll the laws passed by the legislative assembly shall be submitted to the congress of the United States, and, if disapproved, shall be null and of no effect."

The November 9, 1877 act of the Territorial legislative assembly entitled "An Act to provide for calling a convention to frame a constitution for a State of Washington and submitting the same to the people for ratification" was submitted to and not disapproved by the congress of the United States.

V. THE ACTS AND OMISSIONS OF THE DE-FACTO GOVERNMENT PRETENDING TO BE THE STATE OF WASHINGTON VIOLATE INTERNATIONAL TREATIES AND FUNDAMENTAL LAW.

Respondent TERRITORY/STATE OF WASHINGTON laws, acts and omissions are in conflict international treaties ratified by the Congress of the United States. The Court held in *Zschernig v. Miller*, 389 U.S. 429, 88 S. Ct. 664, 19 L. Ed. 2d 683 (1968) that where a state's "laws conflict with a treaty, they must bow to the superior federal policy." Treaties are as binding within the territorial limits of the states as they are elsewhere throughout the dominion of the United States. *Baldwin v. Franks*, 120 U.S. 678, 7 S. Ct. 656, 32 L. Ed. 766 (1887). Treaties are binding not only upon the government, but upon every Citizen. *Kennett v. Chambers*, 55 U.S. 38, 14 How. 38, 14 L. Ed. 316 (1852). The provisions of the treaty supersede and render nugatory all conflicting provisions in the laws or constitution of any state. *Clark v. Allen*, 331 U.S. 503, 67 S. Ct. 1431, 91 L. Ed. 1633, 170 A.L.R. 953 (1947) Also, the power of a state to refuse enforcement of rights based on a foreign law which runs counter to its public policy must give way before a superior federal policy evidenced by a

treaty or international compact or agreement. *U.S. v. Pink*, 315 U.S. 203, 62 S. Ct. 552, 86 L. Ed. 796 (1942). A state cannot refuse to honor treaty rights because of fear that valid international agreements may possibly not work completely to the satisfaction of state authorities. *Kolovrat v. Oregon*, 366 U.S. 187, 81 S. Ct. 922, 6 L. Ed. 2d 218 (1961).

Respondent TERRITORY/STATE OF WASHINGTON has codified provisions for the creation and establishment which do not conflict with the International Covenant on Civil and Political Rights ratified by the congress of the United States. However, Respondent TERRITORY/STATE OF WASHINGTON refuses to honor the treaty rights established by the International Covenant on Civil and Political rights because to do so did not work the satisfaction of state authorities.

VI. THE DEFACTO GOVERNMENT OF WASHINGTON STATE HAS ESTABLISHED A STATE RELIGION BY CLAIMING TO BE PETITIONER'S "CREATOR."

The Supreme Court has stated that the term "religion" has reference to one's views of one's relation to his or her Creator and to the obligations these views impose of reverence for the Creator's being and character, and of obedience to the Creator's will. It is often confounded with the cultus or form of worship of a particular sect, but is distinguishable from the latter. *Davis v. Beason*, 133 U.S. 333, 10 S. Ct. 299, 33 L. Ed. 637 (1890) (called into doubt on other grounds by, *Church of Scientology Flag Service Organization, Inc. v. City of Clearwater*, 2 F.3d 1514 (11th Cir. 1993)) and (abrogated on other grounds by, *Romer v. Evans*, 517 U.S. 620, 116 S. Ct. 1620, 134 L. Ed. 2d 855, 109 Ed. Law Rep. 539, 70 Fair Empl. Prac. Cas. (BNA) 1180, 68 Empl. Prac. Dec. (CCH) ¶44013 (1996)) and (abrogation recognized by, *Wolf v. Sundquist*, 955 S.W.2d 626 (Tenn. Ct. App. 1997)).

Respondent TERRITORY/STATE OF WASHINGTON presumes to be the creator of each of the petitioners hereto. The exercise and enforcement of such a presumption violates Petitioners' religious doctrines by requiring Petitioners' to violate God's First Commandment, and, constitutes an establishment of an official State religion. Petitioners deny that Respondent TERRITORY/STATE OF WASHINGTON is anything other then a fraudulently imposed government pretending to have been established by the consent of the people it presumes to govern. The First Amendment's provision respecting freedom of religion sought to guard against any repetition of previous religious struggles by prohibiting the establishment of a State religion and by securing to every sect the free exercise of its faith. "The oppressive measures adopted and the cruelties and punishments inflicted by the governments of Europe for many ages, to compel parties to conform in their religious beliefs and modes of worship to the views of the most numerous sect, and the folly of attempting in that way to control the mental operations of persons and enforce an outward conformity to a prescribed standard, led to the adoption of the [First] Amendment." *Davis v. Beason*, ibid. The amendment embraces both the concepts of freedom to believe and freedom to act.

Government is prohibited from interfering with or attempting to regulate any Citizen's religious beliefs, from coercing a Citizen to affirm beliefs repugnant to his or her religion or conscience, such as that he the natural person is the creation of government, and from directly penalizing or discriminating against a Citizen for holding beliefs contrary to those held by anyone else. *School Dist. of Abington Tp., Pa. v. Schempp*, 374 U.S. 203, 83 S. Ct. 1560, 10 L. Ed. 2d 844 (1963). Petitioners believe that they are creations of a Divine Creator and are not creation of a government established men for the benefit of men. Because Petitioners beliefs are rooted in religion they are entitled to the protections of the Free exercise clause of the First Amendment. Only beliefs rooted

in religion are protected by the Free Exercise Clause of the First Amendment, which, by its terms, gives special protection to the exercise of religion. *Thomas v. Review Bd. of Indiana Employment Sec. Division*, 450 U.S. 707, 101 S. Ct. 1425, 67 L. Ed. 2d 624, 25 Fair Empl. Prac. Cas. (BNA) 629, 25 Empl. Prac. Dec. (CCH) ¶31662 (1981).

Respondent TERRITORY/STATE OF WASHINGTON cannot intrude into the consciences of persons or compel them to believe contrary to their faith, or think contrary to their convictions. See *Fowler v. State of R.I.*, 345 U.S. 67, 73 S. Ct. 526, 97 L. Ed. 828 (1953). The Free Exercise Clause withdraws from legislative power, both state and federal, the exertion of any restraint on the free exercise of religion, since the clause's purpose was to secure religious liberty in the individual by prohibiting any invasions thereof by civil authority. *School Dist. of Abington Tp., Pa. v. Schempp*, 374 U.S. 203, 83 S. Ct. 1560, 10 L. Ed. 2d 844 (1963). The door of the Free Exercise Clause is tightly closed against any governmental regulation of religious beliefs as such, including but not limited to the State's requirement that Petitioners accept the presumption that they are "Creations" of the State. See *Sherbert v. Verner*, 374 U.S. 398, 83 S. Ct. 1790, 10 L. Ed. 2d 965, 9 Fair Empl. Prac. Cas. (BNA) 1152 (1963). The Supreme Court has also pointed out that the Free Exercise Clause extends to religious organizations the same right to be free from governmental coercion as is extended to individuals. *Kedroff v. St. Nicholas Cathedral of Russian Orthodox Church in North America*, 344 U.S. 94, 73 S. Ct. 143, 97 L. Ed. 120 (1952); *Swan v. First Church of Christ, Scientist, in Boston, Mass.*, 225 F.2d 745 (9th Cir. 1955).

The Free Exercise of Religion Clause of the First Amendment prohibits misuse of secular governmental programs to impede the observance of one or all religions or to discriminate invidiously between religions. The Free Exercise of Religion Clause may condemn certain applications clashing with

imperatives of religion and conscience, when the burden on First Amendment values is not justifiable in terms of the government's valid aims. *Gillette v. U. S.*, 401 U.S. 437, 91 S. Ct. 828, 28 L. Ed. 2d 168 (1971), reh'g denied, 402 U.S. 934, 91 S. Ct. 1521, 28 L. Ed. 2d 869 (1971).

VII. THE DEFACTO GOVERNMENT OF WASHINGTON STATE LIMITS THE EXERCISE CONSTITUTIONALLY GUARANTEED RIGHTS TO THOSE INDIVIDUALS WILLING TO "TOSS A PINCH OF INCENSE UPON THE ALTER OF ITS FALSE GOD."

Respondent TERRITORY/STATE OF WASHINGTON conditions receipt of the important right of due process of law upon conduct proscribed by Petitioners religious faiths. Further Respondent TERRITORY/STATE OF WASHINGTON has denied and deprived each of the Petitioners their constitutionally guaranteed rights to due process of law, civil, property and political rights because of Petitioners' conduct which is mandated by a religious belief, which is a clear infringement upon free exercise. *Thomas v. Review Bd. of Indiana Employment Sec. Division*, 450 U.S. 707, 101 S. Ct. 1425, 67 L. Ed. 2d 624, 25 Fair Empl. Prac. Cas. (BNA) 629, 25 Empl. Prac. Dec. (CCH) ¶31662 (1981).

While the First Amendment freedom to exercise religion grants absolute protection to a person's freedom to believe and profess whatever religious doctrines the person desires, a person's conduct pursuant to his or her religious beliefs remains subject to regulation for the protection of society, and a person's freedom to act must have appropriate definition to preserve enforcement of that protection. *U.S. v. Meyers*, 95 F.3d 1475 (10th Cir. 1996), cert. denied, 118 S. Ct. 583 (U.S. 1997). In these cases Respondent TERRITORY/STATE OF WASHINGTON power to regulate is exercised in such a manner as to unduly infringe the protected freedoms of Petitioners.

Courts have defined a religious sect as a body or number of persons, united in tenets, but constituting a distinct organization or party holding sentiments or doctrines different from those of other sects or people. See *Bennett v. City of La Grange*, 153 Ga. 428, 112 S.E. 482, 22 A.L.R. 1312 (1922).

In the opinion Justice Storey delivered in *Terrett v. Taylor*, (1815) 9 Cranch, 43, 3 L. ed. 650, stated that "laws enacted for religious purposes evidently pre-suppose the existence of churches with their general rights and authorities growing out of the common law. What those rights and authorities are, need not be minutely stated. It is sufficient that, among other things, the church was capable of receiving endowments of land, and that the minister of the parish was, during his incumbency, seized of the freehold of its inheritable property, as emphatically persona ecclesiae, and capable, as a sole corporation, of transmitting that inheritance to his successors." A 'corporation sole' consists of one person only and his successors in some particular station, who are incorporated by law in order to give them some legal capacities and advantages, particularly that of perpetuity, so that the successor becomes the corporation on the person's death or resignation. *Doe v. Gelineau*, 732 A.2d 43 (R.I. 1999). Thus By the operation of these statutes and the common law, the lands thus purchased became vested, either directly or beneficially, in the Episcopal Church. The minister for the time being was seized of the freehold, in law or in equity, jure ecclesioe, and, during a vacancy, the fee remained in abeyance, and the profits of the parsonage were to be taken by the parish for their own use.

Respondent TERRITORY/STATE OF WASHINGTON has determined and ruled that none of the petitioners hereto are members of the State's established religion, a fact with which none of the Petitioners' disagree. However, constitutionally protected rights are not and should not be dependant upon adherence to or membership in any particular

religious sect, organization or cult be it dedicated to the State, Allah, Jehovah, Jesus the Christ, Justitia or any other religious personage. **IMMEDIATE REVIEW IS URGENTLY NEEDED**

CONCLUSION

Because Respondent TERRITORY/STATE OF WASHINGTON and its various agents are without lawful existence and the deprivations perpetrated by each of them were concluded without lawful jurisdiction **IMMEDIATE REVIEW IS URGENTLY NEEDED**

Respectfully submitted,

THOM SATTERLEE *
Bishop of the Way
c/o 40520 E. Whitehorse Drive
Arlington, WA 98223
(360) 436-1422

* Counsel of Record

STEVEN MILTON:GRAY
Director Northwest Housing Trust
1250 North Wenatchee Ave. #276
Wenatchee, WA 98801
(206)854-4222

FLOYD TIMOTHY:RYAN
NAZIRITE ELDER OF TRUTH
c/o 1429 Avenue D, PMB 303
Snohomish, WA 98290
Washington State
(425)334-4407

CORY DAVID REIN
3232 Rockefeller Avenue
Everett, Washington 98201-4398
(425)259-6111

KATRINA EVE GLOGOWSKI
Pioneer Building, Suite 435
600 First Avenue
Seattle, WA 98104
(253)813-8111

STEVEN K. LINKON
3535 Factoria Boulevard,
Suite 200
Bellevue, WA 98006
(425)458-2121

CARRIE M. COPPINGER CARTER
P.O. Box 5008
Bellingham, WA 98227-5008
(360)647-1902

JANAYA L. CASAVARANT
WSBA#32715
3535 FACTORIA BLVD SE
Ste 200
Bellevue WA 98006
(425) 458-2121